

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JAMES PATTON, : Case No. 3:13-cv-50  
Petitioner, : District Judge Timothy S. Black  
-vs- : Magistrate Judge Michael R. Merz  
SHERIFF EUGENE FISCHER, et al., :  
Respondents. :

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**ORDER TO PRO SE PETITIONER UPON FILING OF MOTION TO DISMISS  
OR MOTION FOR SUMMARY JUDGMENT**

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You are hereby notified that Respondents filed with the Court on April 12, 2013, a motion to dismiss in this case [Doc # 10]. You should receive a copy of the motion directly from Respondents.

Under the rules of this Court (S.D. Ohio L.R. 7.2) you are allowed twenty-one days from the date of service (April 12, 2013) within which to file a response to this motion, plus an extra three days because of the way the motion was sent to you. Your response must be filed with the Court not later than May 6, 2013.

April 15, 2013.

*s/Michael R. Merz*  
United States Magistrate Judge